

Message Text

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ACTION NEA-10

INFO OCT-01 IO-10 ISO-00 SR-02 ORM-01 SS-15 NSC-05 L-02

VO-03 SCA-01 CIAE-00 INR-07 NSAE-00 EUR-12 SY-05 SP-02

INSE-00 FBIE-00 PRS-01 DODE-00 /077 W

----- 092471

R 191315Z MAY 75

FM AMEMBASSY CAIRO

TO SECSTATE WASHDC 4040

INFO USMISSION GENEVA

AMCONSULATE ALEXANDRIA

C O N F I D E N T I A L 4980

E.O. 11652: NA

TAGS: SREF

SUBJECT: ASSISTANCE TO REFUGEES: REQUEST FOR
POLITICAL ASYLUM

REF: A. CAIRO 3719 AND PREVIOUS B. DEPT A-6610, AUGUST 20, 1974

1. AMBASSADOR CONVENED REPS OF ALL APPROPRIATE
EMBASSY SECTIONS AND OF CONGEN ALEXANDRIA TO REVIEW
PROCEDURES FOR HANDLING WALK-IN REFUGEES.
REVIEW WAS CONDUCTED IN LIGHT OF RECENT EXPERIENCE
WITH TWO CZECH REFUGEES WHOSE DEPARTURE FROM EGYPT
WAS ARRANGED WITH COOPERATION OF MIN FONAFAIRS AFTER
PERSISTENT NEGOTIATIONS.

2. WHILE EMBASSY EFFORT TO ASSURE THAT BOTH CZECHS
WERE ACCORDED REFUGEE STATUS AND APPROPRIATE
HUMANITARIAN CONSIDERATION WAS SUCCESSFUL, CERTAIN
DIFFICULTIES AND PROBLEMS SURFACED IN COURSE OF THIS
EFFORT WHICH NEED TO BE HIGHLIGHTED:

A. EGYPTIANS, ALTHOUGH THEY COOPERATED, ARE
SOMEWHAT MIFFED AT WHAT THEY CONSIDER LACK OF USG
APPRECIATION OF PROBLEM SUCH ALLEGED REFUGEES POSE FOR
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THEM IN RELATIONS WITH OTHER STATES. GOE OFFICIALS

SUCH AS FONMIN FAHMY AND MFA UNDERSEC RIAH INSIST THAT LENIENT EGYPTIAN POLICY GRANTING POLITICAL ASYLUM IS QUITE CLEAR AND POINT TO EGYPTIAN CONSTITUTION AND PAST PRECEDENT IN SUPPORT OF THEIR VIEW. HOWEVER, FACT IS IMPLEMENTATION OF ALLEGED EGYPTIAN POLICY NOT ALWAYS APPARENT AND NEITHER MFA MIDDLE GRADE OFFICIALS NOR EGYPTIAN SECURITY AUTHORITIES SEEM FULLY AWARE OF IT. IN INITIAL STAGES OF REFUGEE CASE, FOR EXAMPLE, CONGEN ALEXANDRIA ASCERTAINED FROM ALEXANDRIA SECURITY AUTHORITIES THAT, IF CZECH REFUGEES IN QUESTION WOULD HAVE BEEN RELEASED TO THEIR CUSTODY, THEY WOULD HAVE BEEN TURNED OVER TO CZECHOSLOVAK CONSUL. MOREOVER, WHEN CHARGE WAS SUMMONED TO FONMIN'S OFFICE AFTER HE HAD CONSULTED MFA, HE WAS ASKED BY FONMIN'S LEGAL ADVISOR, ON INSTRUCTIONS FROM FAHMY, TO TURN REFUGEE (THERE WAS ONLY ONE AT THAT TIME) OVER TO ALEXANDRIA POLICE FORTHWITH. WHEN CHARGE ASKED FOR ASSURANCE THAT MISS NAVAROVA WOULD BE ACCORDED REFUGEE STATUS, LEGAL ADVISOR REFUSED TO GIVE SUCH ASSURANCE, STATING ONLY THAT HER CASE WOULD BE HANDLED IN ACCORDANCE WITH SECURITY AUTHORITIES' PROCEDURES.

B. IN FACT, SUBSEQUENT DISCUSSIONS WITH OFFICIALS AT FONMIN'S OFFICE SUGGESTED THAT GOE PROCEDURE FOR HANDLING REFUGEES WOULD MORE LIKELY DEPEND ON IMPORTANCE AND STATE OF RELATIONS BETWEEN EGYPT AND COUNTRY FROM WHICH REFUGEE CAME.

C. UNHCR REP FOR EGYPT IS AN EGYPTIAN NATIONAL (FORMER MFA OFFICIAL) WHO, AS RESULT OF ACT THAT GOE IS NOT PARTY EITHER TO REFUGEE CONVENTION OR PROTOCOL, IS SOMEWHAT UNCERTAIN AS TO HIS ROLE AND THE EXTENT TO WHICH HE CAN TAKE FORM STAND IN DEFENSE OF REFUGEE'S INTEREST.

3. IN EFFORT TO REACH CLEAR UNDERSTANDING OF PROCEDURE TO BE FOLLOWED IN CASE OF EMBASSY OR CONGEN INVOLVEMENT WITH A FUTURE REFUGEE CASE, CONFIDENTIAL

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DCM RAISED WITH FONMIN'S CHEF DE CABINET, AMBASSADOR SIRRI (WITH WHOM HE HAD DEALT AS CHARGE RE CZECH REFUGEES), POSSIBILITY OF ESTABLISHING SPECIFIC PROCEDURE FOR HANDLING SUCH DELICATE MATTERS. SIRRI REFUSED CATEGORICALLY TO CONSIDER WORKING OUT SUCH A PROCEDURE, UNDERLINING MINISTRY'S PREFERENCE THAT SUCH CASES BE HANDLED ON AD HOC BASIS.

4. IN SUBSEQUENT CONVERSATION WITH AMBASSADOR, UNDERSEC RIAD CLAIMED IT IS POLICY AND PRACTICE OF GOE TO GRANT POLITICAL ASYLUM. HE GAVE ASSURANCES THAT GOE WOULD COOPERATE ON THIS SCORE. IF GOE COULD NOT PROVIDE TEMPORARY TRAVEL DOCUMENTATION FOR REFUGEE, IT WOULD ASK UNHCR TO DO SO AND ACCEPT WHATEVER DOCUMENT LATTER ISSUES. SHOULD THIS PROVE INFEASIBLE, GOE WILL ASK US TO ISSUE TTD. RIAD ASKED THAT ALL SUCH CASES BE HANDLED AT HIGH LEVEL IN MFA, EITHER WITH HIM OR FONMIN, BECAUSE OF THEIR POTENTIAL SENSITIVITY. RIAD NOTED GOE CONCERN THAT ALLEGED REFUGEE MIGHT BE EGYPTIAN WITH CRIMINAL BACKGROUND WHO WOULD BE SEEKING SUCH AVENUE OF ESCAPE.

5. IN FUTURE, THEREFORE, EMBASSY PROPOSES, EXCEPT IN CASE OF DEFECTORS FOR WHOM SPECIFIC PROCEDURE HAS BEEN AGREED, TO WROK FROM VERY ONSET WITH HIGH LEVEL GOE OFFICIALS IN ACCORDANCE WITH ASSURANCES GIVEN BY RIAD. WE WILL ALSO PLAN TO COORDINATE THROUGHOUT WITH UNHCR REP AND WITH US MISSION IN GENEVA AS NECESARY. IF IT APPEARS THAT SUCH ASSURANCES WILL NOT BE OBSERVED, WE WILL KEEP REFUGEE IN QUESTION ON EMBASSY OR CONGEN PREMISES AND REQUEST INSTRUCTIONS FROM DEPT.IT SHOULD BE REALIZED THAT UNILATERAL ACTION ON OUR PART IN REFUSING TO TURN OVER REFUGEE TO GOE SECURITY AUTHORITIES COULD RESULT IN CAUSING DIFFICULTIES IN OUR RELATIONS WITH EGYPTIAN REGIME.

6. FOR GENEVA: WE SUGGEST USMISSION MAY WISH DISCUSS WITH UNHCR HQ POSSIBILITY OF PROVIDING CONFIDENTIAL

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UNHCR REP CAIRO WITH SOME SORT OF TRAVEL DOCUMENT WHICH HE COULD ISSUE TO REFUGEES TURNING UP WITHOUT DOCUMENTATION. THEY COULD ALSO SEEK TO CLARIFY PORCEDURE HE FOLLOWS IN DEALING WITH GOE AUTHORITIES AND ASSURE THAT HE DEMANDS ASSURANCE THAT REFUGEE STATUS WILL BE RECOGNIZED IF REFUGEE IS REMANDED TO GOE CUSTODY.

7. EMBASSY WOULD APPRECIATE DEPT COMMENT ON THESE PROCEDURES.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, POLITICAL ASYLUM, REFUGEES
Control Number: n/a
Copy: SINGLE
Draft Date: 19 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975CAIRO04980
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750175-0895
From: CAIRO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750537/aaaabgwi.tel
Line Count: 165
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 CAIRO 3719, 75 AND PREVIOUS DEPT A-6610, 75 AUGUST 20, 75 1974
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 23 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 JUN 2003 by BoyleJA>; APPROVED <03 NOV 2003 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ASSISTANCE TO REFUGEES: REQUEST FOR POLITICAL ASYLUM
TAGS: SREF, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006